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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,197	01/22/2002	Sung-Joo Kim	Q66435	9678

7590 01/31/2007
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EXAMINER

PENG, FRED H

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/051,197

Applicant(s)

KIM, SUNG-JOO

Examiner

Fred Peng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/04/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>04/05/06, 01/26/05, 11/08/04</u> . | 6) <input type="checkbox"/> Other: _____ |

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Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/04/06 has been entered.

DETAILED ACTION

Response to Arguments

2. Applicant's arguments with respect to claims 16-27 have been considered but are moot in view of the new ground(s) of rejection.

3. Applicant's arguments filed on 12/04/06 have been fully considered but they are not persuasive. Applicant argues that Billock fails to teach transmitting video data corresponding to at least one selected second information among the at least one second information. Billock provides video data based on (Remarks dated 12/04/06 page 7 lines 4-6) a selected video program from the list of video programs, not selected second information.

In response, Billock does teach transmitting video data corresponding to at least one selected second information among the at least one second information (Col 11 lines 32-41, Col 12 lines 7-9).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 16-17, 19-22, 24-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Billock et al (US 5,619,249).

Regarding Claim 16, Billock discloses a method for transmitting video data, comprising:
extracting at least one first information from at least one video data, the at least one first information corresponding to the at least one video data, and transmitting the at least one first information to an external device (FIG.6, 44, Col 9 lines 24-28, 32-36, first information is the title “program 3”, FIG.3, Col 6 lines 52-53, 61-67, Col 7 lines 1-5, Col 5 lines 54-57, first information is extracted from FIG.2, 22);

extracting and transmitting at least one second information to the external device, if a request signal for the at least one second information is received from the external device (Col 7 lines 30-36, second information, the program preview, is extracted from FIG.2, 24, Col 5 lines 54-57), the at least one second information corresponding to at least one selected first information among the at least one first information (FIG.6-8, Col 11 lines 32-41); and

transmitting video data to the external device, if a request signal for the video data received from the external device, the video data corresponding to at least one selected second information among the at least one second information (Col 12 lines 7-9).

Regarding Claims 17 and 22, Billock further discloses first information is a list of titles for the at least one video data (FIG.6, 44).

Regarding Claims 19 and 24, Billock further discloses first information comprising the at least one video data grouped under categories (FIG.6, 50, Col 9 lines 54-65).

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Regarding Claims 20 and 25, Billock further discloses the second information is one of a video segment and a summary plot (FIG.7, 42).

Regarding Claims 21 and 27, Billock discloses a device and corresponding method for providing video data, comprising:

if at least one first information corresponding to at least one video data is received from a server (FIG.6, 44, Col 9 lines 24-28), requesting at least one second information corresponding to at least selected one first information among the at least one first information (FIG.6, 68, Col 9 lines 12-30);

if the at least one second information is received from the server (FIG.7, 42, preview is the 2nd information), requesting video data corresponding to at least one selected second information among the at least one second information (FIG.7, 62, requesting video data by choosing "SELECT" button, Col 12 lines 7-9); and

receiving the video data corresponding to the at least one selected second information from the server and displaying the video data (Col 12 lines 7-9).

Regarding Claim 26, Billock discloses a server, comprising:

an editor which extracts at least one first information from at least one video data (FIG.2, 22, 26, 24, 28, 20, Col 9 lines 24-28, FIG.3, lines 52-53, 61-67, Col 7 lines 1-5), the at least one first information corresponding to the at least one video data, and at least one second information corresponding to at least one selected first information among the at least one first information (FIG.7, 42, preview is the 2nd information corresponding to program);

a converter (FIG.5, 30, 32) which converts the at least one first information (FIG.6, 44) and the at least one second information (FIG.7, 42) to a format displayable through an external device (FIG.5, 34); and

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a transmitter (FIG.2, 20) which transmits the at least one converted first information (Col 4 lines 63-65, Col 6 lines 17-18, 45-49, Col 8 lines 31-40), the at least one converted second information, and video data corresponding to one selected second information among the at least one second information (Col 10 lines 54-59).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 18 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Billock et al (US 5,619,249) in view of Maze et al (US 2005/0235320 A1).

Regarding Claims 18 and 23, Billock does disclose all the limitations in Claims 18 and 21. Billock does not disclose first information is searched by a keyword related to the list of titles for the at least one video data.

In an analogous art, Maze does disclose first information is searched by a keyword related to the list of titles for the at least one video data (Para15 lines 1-10).

It would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Billock with first information is searched by a keyword related to the list of titles for the at least one video data taught by Maze to provide easy way to search the programs through hundreds of channels of information (Para 4 lines 1-10).

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Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred Peng whose telephone number is (571) 270-1147. The examiner can normally be reached on Monday-Friday 08:00-17:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fred Peng
Patent Examiner

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